

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

MAGICFIRE, INC.,

Plaintiff,

v.

FIREWORKS BY GRUCCI, INC.,

Defendant.

Civil Action No.: 1:16-cv-10129-NMG

STIPULATION OF DISMISSAL WITH PREJUDICE

All parties to the above-captioned action, pursuant to the provisions of Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby stipulate as follows: (1) Plaintiff MagicFire, Inc. dismisses its Complaint including all asserted Counts in the above-captioned action with prejudice; and (2) each party will bear its own costs and attorney fees.

Dated: September 26, 2016

Respectfully submitted,

/s/ Brendan T. St. Amant

Brendan T. St. Amant (BBO #672619)
**DONNELLY, CONROY & GELHAAR,
LLP**

260 Franklin Street, Suite 1600
Boston, Massachusetts 02110
Telephone: (617) 720-2880
bts@dcglaw.com

Counsel for Plaintiff MagicFire, Inc.

/s/ John J. Cotter

John J. Cotter (BBO#554524)
Andrea B. Reed (BBO#672321)
K&L GATES LLP

State Street Financial Center
One Lincoln Street
Boston, MA 02111-2950
Telephone: (617) 261-3100
Facsimile: (617) 261-3175
john.cotter@klgates.com
andrea.reed@klgates.com

*Counsel for Defendant
Fireworks by Grucci, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document filed September 26, 2016, through the Electronic Case Filing (“ECF”) system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (“NEF”).

/s/ John J. Cotter
John J. Cotter (BBO#554524)